



FIDELIS CARE
NEW YORK

BY FACSIMILE [718-613-2365] AND ECF

May 14, 2009

The Honorable Cheryl L. Pollack
United States Magistrate Judge
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

Re: ***Steward v. New York State Catholic Health Plan, Inc.***
d/b/a Fidelis Care New York, Inc., et al., 08 CV 4443 (FB)(CLP)

Dear Magistrate Judge Pollack:

I am co-counsel for defendant New York State Catholic Health Plan, Inc. d/b/a Fidelis Care New York, Inc. The parties are pleased to report that, after the settlement conference conducted by Your Honor on April 28, 2009, they have arrived at an agreement as to the principal terms of a settlement of this matter.

At the April 28th Conference, Your Honor established certain dates for the completion of pre-trial discovery, the first of which, for the service of discovery requests, will occur on May 20, 2009.

Accordingly, to allow the parties time to consummate the settlement of this action without the need to engage in pre-trial discovery, plaintiff and defendant jointly request that all dates for discovery established by Your Honor be extended 60 days.

Respectfully,

James Robert Pigott, Jr.
Chief Legal Officer
Fidelis Care New York

SO ORDERED.

U.S. Magistrate Judge
5/14/09

cc: Jennifer F. DiMarco, Esq. (via ECF and first class mail)
David Stein, Esq., (via ECF and first class mail)

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